# CANISTEO•GREENWOOD

# SCHOOL DISTRICT CODE OF CONDUCT

## I. Introduction

The board of education is committed to providing a safe and orderly school environment where students may receive and district personnel may deliver quality educational services without disruption or interference. Responsible behavior by students, teachers, other district personnel, parents, and other visitors is essential to achieving this goal.

The district has a long-standing set of expectations for conduct on school property and at school functions. These expectations are based on the principles of civility, mutual respect, citizenship, character, tolerance, honesty, and integrity.

The board of education recognizes the need to clearly define these expectations for acceptable conduct on school property, to identify the possible consequences of unacceptable conduct, and to ensure that discipline when necessary is administered promptly and fairly. To this end, the board adopts this code of conduct.

In order to provide for a safe, productive school environment where quality learning and teaching occurs, students, parents, teachers, school staff, administrators, and the community must participate in and accept responsibility for promoting acceptable student behavior. Unless otherwise indicated, this code of conduct applies to all students, school personnel, parents, and other visitors when on school property attending a school function.

Canisteo-Greenwood summarizes what is required from all parties in and around school grounds and at school functions as being *Responsible*, *Respectful*, *Positive*, and *Safe*.

Being *Responsible* can be summarized as being proactive, putting first things first, and remembering your actions influence your outcomes. Being *Respectful* can be summarized as remembering school is a shared space and experience, and being considerate of how your actions impact others and their boundaries. Being *Positive* can be summarized by having meaningful and uplifting interactions with others and finding the good in yourself, others, and circumstances. Being *Safe* can be summarized as being aware of yourself and your surroundings, keeping yourself and others out of danger, and being informed and asking questions if you are uncertain about something. For additional examples about what these behaviors look like in specific settings in the school please refer to Appendix A.

## II. Definitions

For the purpose of this code, the following definitions apply.

"**Disruptive student**" means an elementary or secondary student age 21 or younger who is substantially disruptive to the educational process or substantially interferes with the teacher's authority over the classroom.

**"Harassment" and "bullying***"* shall mean the creation of a hostile environment by conduct or by threats, intimidation or abuse, including cyberbullying, that:

1. (a) has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical well-being; or

(b) reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; or

(c)reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or

(d) occurs off school property and creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property.

Acts of harassment and bullying shall include, but not be limited to, those acts based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex. For the purposes of this definition the term "threats, intimidation or abuse" shall include verbal and non-verbal actions.

2. "Cyberbullying" shall mean harassment or bullying as defined in subdivision seven of this section, including paragraphs (a), (b), (c) and (d) of such subdivision, where such harassment or bullying occurs through any form of electronic communication.

3. "Emotional harm" that takes place in the context of harassment or bullying shall be defined as harm to a student's emotional well-being through creation of a hostile school environment that is so severe or pervasive as to unreasonably and substantially interfere with a student's education. Such conduct shall include, but is not limited to, acts based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex.

Because school is a social setting with many different people in close proximity to each other it is common for students to experience different types of social situations they may be unsure about or uncomfortable with. To help students and parents/guardians navigate the different types of uncomfortable social situations and understand what appropriate next steps are please refer to the following chart:




"**Parent/Guardian**" means parent, guardian, or person in parental relation to the student.

"**School property**" means in or within any building, structure, athletic playing field, playground, parking lot, or land contained within the real property boundary line or a public elementary or secondary school, or in or on a school us, as defined in Vehicle and Traffic Law §142.

"**School function**" means any school-sponsored extra-curricular event or activity.

"**Violent student**" means a student age 21 or younger who:

1. Commits an act of violence upon a school employee, or attempts to do so.

2. Commits, while on school property or at a school function, an act of violence upon another student, or any other person lawfully on school property or at the school function, or attempts to do so.
3. Possesses, while on school property or at a school function, a weapon.
4. Displays, while on school property or at a school function, what appears to be a weapon.
5. Threatens, while on school property or at a school function, to use a weapon.
6. Knowingly and intentionally damages or destroys the personal property of any school employee or any person lawfully on school property or at a school function.
7. Knowingly or intentionally damages or destroys school district property.

"**Weapon**" means a firearm as defined in 18 USC §921 for purposes of the Gun-Free School Act. It also means any other gun, BB gun, airsoft gun, paintball marker, pistol, revolver, shotgun, rifle, machine gun, disguised gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, brass knuckles, sling shot, metal knuckle knife, box cutter, cane sword, electronic dart gun, Kung Fu star, electronic star gun, pepper spray or other noxious spray, explosive or incendiary bomb, or other device, instrument, material or substance that can cause physical injury or death when used to cause physical injury or death.

## III. Student Rights and Responsibilities

### A. Student Rights

The district is committed to safeguard the rights given to all students under state and federal law. In addition, to promote safe, healthy, orderly and civil school environment, all district student have the right to:

1. Take part in all district activities on an equal basis regardless of race, color, creed, national origin, religion, gender or sexual orientation, or disability.
2. Present their version of the relevant events to school personnel authorized to impose a disciplinary consequence in connection with the imposition of the consequence.
3. Access school rules and, when necessary, receive an explanation of those rules from school personnel.

### B. Student Responsibilities

All district students have the responsibility to:

1. Contribute to maintaining a safe and orderly school environment that is conducive to learning and to show respect to other persons and to property
2. Be familiar with and abide by all School District policies, rules, and regulations pertaining to student conduct.
3. Attend school every day and be in class, on time, and prepared to learn.
4. Work to the best of their ability in all academic and extracurricular pursuits and strive toward their highest level of achievement possible.
5. React to direction given by teachers, administrators, and other school personnel in a respectful, positive manner.
6. Work to develop mechanisms to control anger.
7. Asks questions when they do not understand.
8. Seek help in solving problems that might lead to discipline.
9. Dress appropriately for school and school functions.
10. Accept responsibility for their actions.
11. Conduct themselves as representatives of the district when participating in or attending school-sponsored extracurricular events and to hold themselves to the highest standards of conduct,

demeanor and sportsmanship.

Each student at CGCS has the ability to be responsible for his/her behavior. Students who fail to meet the expected degree of responsibility and/or violate school rules are subject to appropriate disciplinary action.

# IV. Essential Partners

## A. Parents or Persons in Parental Relation

All parents are expected to:

1. Recognize that the education of their child(ren) is a joint responsibility of the parents and the school community.
2. Send their children to school ready to participate and learn.
3. Ensure their children attend school regularly and on time.
4. Ensure absences are excused.
5. Insist their children be dressed and groomed in a manner consistent with the student dress code.
6. Help their children understand that in a democratic society appropriate rules are required to maintain a safe, orderly environment.
7. Know school rules and help their children understand them.
8. Convey to their children a supportive attitude toward education and the district.
9. Build good relationships with teachers, other parents and their children's friends.
10. Help their children deal effectively with peer pressure.
11. Inform school officials of changes in the home situation that may affect student conduct or performance.
12. Provide a place for study and ensure homework assignments are completed.

## B. District Staff

All district staff are expected to:

1. Maintain a climate of mutual respect and dignity, which will strength student's self-concept and promote confidence to learn.
2. Be prepared to instruct or supervise students as required, and complete any other duties as needed.
3. Demonstrate interest in student learning and concern for student achievement.
4. Know school policies and rules, and enforce them in a fair and consistent manner.
5. Communicate clearly and regularly to students, parents/guardians, and visitors all school or class expectations, practices, and procedures.
6. Communicate regularly with students, parents/guardians, and other staff as required or needed concerning growth and achievement and student interactions.

## C. School Counselors and Social Workers

1. Assist students in coping with peer pressure and emerging personal, social, and emotional problems.
2. Initiate teacher/student/counselor or social worker conferences and parent/teacher/student/counselor or social worker conferences, as necessary, as a way to resolve problems.
3. Regularly review with students their educational progress and career plans.
4. Provide information to assist students with career planning.
5. Encourage students to benefit from the curriculum and extracurricular programs.

**D. Principals**

1. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning.
2. Ensure that students and staff have the opportunity to communicate regularly with the principal and approach the principal for redress of grievances.
3. Evaluate on a regular basis all instructional programs.
4. Support the development of and student participation in appropriate extracurricular activities.
5. Be responsible for enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.

**E. Superintendent**

1. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning.
2. Review with district administrators the policies of the board of education and state and federal laws relating to school operations and management.
3. Inform the board about educational trends relating to student discipline.
4. Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.
5. Work with district administrators in enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.

**F. Board of Education**

1. Collaborate with student, teacher, administrator, and parent organizations, school safety personnel, and other school personnel to develop a code of conduct that clearly defines expectations for the conduct of students, district personnel, and visitors on school property and at school functions.
2. Adopt and review at least annually the district's code of conduct to evaluate the code's effectiveness and the fairness and consistency of its implementation.
3. Lead by example by conducting board meetings in a professional, respectful, courteous manner.

## V. Student Dress Code

All students are expected to give proper attention to personal cleanliness and to dress appropriately for school and school functions. Students and their families have the primary responsibility for acceptable student dress and appearance. Teachers and all other district personnel should exemplify and reinforce acceptable student dress and help students develop an understanding of appropriate appearance in the school setting.

A student's dress, grooming and appearance, including hair style and color, jewelry, make-up and nails, shall:

1. Be safe, appropriate and not disrupt or interfere with the educational process;
2. Be appropriately modest for a professional and public setting such as going to work and recognize that extremely brief or transparent garments that show one's undergarments or excessive amounts of skin may not be deemed as such;
3. Not include items that are vulgar, obscene, and libelous, or denigrate others on account of race, color, religion, creed, national origin, gender, sexual orientation, or disability;

4. Not include items that are promoting illegal activities or products illegal for use by minors;
5. Include footwear at all times. Footwear that is a safety hazard will not be allowed;

*Please note students may be asked to where assignment specific attire or footwear when the curriculum requires it such as protective boots if working with Heavy Equipment at BOCES or professional attire for concerts. If such requirement represents a barrier to instruction for your student please reach out to the school for assistance.*

School is a public and professional setting. A good rule of thumb for students and parents/guardians to follow is if you wouldn't wear it to a job interview, don't wear it to school.

Each building principal or his or her designee shall be responsible for informing all students and their families of the student dress code at the beginning of the school year and any revisions to the dress code made during the school year.

Students who violate the dress code shall be required to modify their appearance by covering or removing the offending item and, if necessary or practical, replacing it with an acceptable item. Any student who refuses to do so shall be subject to discipline, up to and including in-school suspension for the day. Any student who repeatedly fails to comply with the dress code shall be subject to further discipline, up to and including out of school suspension.

## VI. Prohibited Student Conduct

The board of education expects all students to conduct themselves in an appropriate and civil manner, with proper regard for the rights and welfare of other students, district, personnel, and other members of the school community, and for the care of the school facilities and equipment.

The best discipline is self-imposed, and students must learn to assume and accept responsibility for their own behavior, as well as the consequences of their misbehavior. District personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the students' ability to grow in self-discipline.

The board recognizes the need to make its expectations for student conduct while on school property or engaged in a school function specific and clear. The rules of conduct listed below are intended to do that and focus on safety and respect for the rights and property of others. Students who will not accept responsibility for their own behavior and who violate these school rules will be required to accept the penalties for their conduct.

Students may be subject to disciplinary action, up to and including suspension from school, when they:

A. Engage in conduct that is disorderly. Examples of disorderly conduct include:
   1. Running in hallways
   2. Making unreasonable noise
   3. Using language or gestures that are profane, lewd, vulgar, or abusive.
   4. Obstructing vehicular or pedestrian traffic.
   5. Engaging in any willful act which disrupts the normal operation of the school community.
   6. Trespassing. Students are not permitted in any school building, other than the one they regularly attend, without permission from the administrator in charge of the building.
   7. Computer/electronic communications misuse, including any unauthorized use of computers, software, or internet/intranet account; accessing inappropriate websites; or any other violation of the district's acceptable use policy.

B. Engage in conduct that is insubordinate. Examples of insubordinate conduct include:
1. Failing to comply with the reasonable directions of teachers, school administrators, or other school employees in charge of students or otherwise demonstrating disrespect.
2. Lateness for, missing or leaving school without permission.
3. Skipping detention

C. Engage in conduct that is disruptive. Examples of disruptive conduct include:
1. Failing to comply with the reasonable directions of teachers, school administrators or other school personnel in charge of students.

D. Engage in conduct that is violent. Examples of violent conduct include:
1. Committing an act of violence (such as hitting, kicking, punching, and scratching) upon a teacher, administrator, or other school employee or attempting to do so.
2. Committing an act of violence (such as hitting, kicking, punching, and scratching) upon another student or any other person lawfully on school property or attempting to do so.
3. Possessing a weapon. Authorized law enforcement officials are the only persons permitted to have a weapon in their possession while on school property or at a school function.
4. Displays what appears to be a weapon.
5. Threatening to use any weapon.
6. Intentionally damaging or destroying the personal property of a student, teacher, administrator, other district employee, or any person lawfully on school property, including graffiti or arson.
7. Intentionally damaging or destroying school district property.

E. Engage in any conduct that endangers the safety, morals, health, or welfare of others. Examples of such conduct include:
1. Lying to school personnel
2. Stealing the property of other students, school personnel, or any other person lawfully on school property or attending a school function.
3. Defamation, which includes making false or unprivileged statements or representations about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group by demeaning them.
4. Discrimination, which includes the use of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex.
5. Harassment, bullying, and Cyberbullying as defined by this code which includes a sufficiently severe action or a persistent, pervasive pattern of actions or statements directed at an identifiable individual or group which are intended to be or which a reasonable person would perceive as ridiculing or demeaning.
6. Intimidation, which includes engaging in actions or statements that put an individual in fear of bodily harm.
7. Hazing, which includes any intentional or reckless act directed against another for the purpose of initiation into, affiliating with or maintaining membership in any school sponsored activity, organization, club, or team.
8. Selling, using or possessing obscene material.
9. Using vulgar or abusive language, cursing or swearing.
10. Smoking or possession of a cigarette, electronic cigarette, cigar, pipe or using chewing or smokeless tobacco, all items that contain nicotine, along with any form of lighters.
11. Possessing, consuming, selling, distributing or exchanging alcoholic beverages or illegal substances, or being under the influence of either. "Illegal substances" include, but are not limited to, inhalants, marijuana, THC, or other cannabinoids, cocaine, LSD, PCP, amphetamines, heroin,

steroids, look-alike drugs, and any substances commonly referred to as “designer drugs.”

12. Inappropriately using or sharing prescription and over-the-counter drugs.
13. Gambling
14. Indecent exposure, that is, exposure to sight of the private parts of the body in a lewd or indecent manner.
15. Initiating a report warning of fire or other catastrophe without valid cause, misuse of 911 or discharging a fire extinguisher.

F. Engage in misconduct while on the school bus. It is crucial for students to behave appropriately while riding on district buses to ensure their safety and that of other passengers and to avoid distracting the bus driver. Students are required to conduct themselves on the bus in a manner consistent with established standards for classroom behavior. Excessive noise, pushing, shoving, and fighting will not be tolerated.

G. Engage in any form of academic misconduct. Examples of academic misconduct include:
   1. Plagiarism, including the inappropriate or unauthorized use of AI generated responses.
   2. Cheating
   3. Copying
   4. Altering records
   5. Assisting another student in any of the above actions.

## VII. Reporting Violation

All students are expected to promptly report violations of the code of conduct to a teacher, school counselor, the building principal, or his or her designee. Any student observing a student possessing a weapon, alcohol or illegal substance on school property or at a school function shall report this information immediately to a teacher, the building principal, the principal’s designee or the superintendent.

All district staff who are authorized to impose disciplinary sanctions are expected to do so in a prompt, fair, and lawful manner. District staff who are not authorized to impose disciplinary sanctions are expected to promptly report violations of the code of conduct to their supervisor, who shall in turn impose an appropriate disciplinary sanction, if so authorized, or refer the matter to a staff member who is authorized to impose an appropriate sanction.

Any weapon, alcohol or illegal substance found shall be confiscated immediately, if possible, followed by notification to the parent of the student involved and the appropriate disciplinary sanction if warranted, which may include permanent suspension and referral or prosecution.

The building principal or his or her designee must notify the appropriate local law enforcement agency of those code violations that constitute a crime and substantially affect the order or security of a school as soon as practical, but in no event later than the close of business the day the principal or his or her designee learns of the violation. The notification may be made by telephone, followed by a letter mailed on same day as the telephone call is made. The notification must identify the student and explain the conduct that violated the code of conduct and constituted a crime.

**Bullying and Cyberbullying Complaints:** The Principals in each building have been designated as the person who is responsible for receiving reports and complaints of bullying and harassment under DASA.

**Anti-retaliation.** Retaliation against any individual who, in good faith, reports or assists in the investigation of harassment, bullying and/or discrimination is strictly prohibited."

## VIII. Disciplinary Penalties

### Procedures and Referrals

Discipline is most effective when it deals directly with the problem at the time and place it occurs, and in a way that students view as fair and impartial. School personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the students' ability to grow in self-discipline.

Disciplinary action, when necessary, will be firm, fair, and consistent so as to be the most effective in changing student behavior. In determining the appropriate disciplinary action, school personnel authorized to impose disciplinary penalties will consider the following:

1. The student's age
2. The nature of the offense and the circumstances which led to the offense
3. The student's prior disciplinary record
4. The effectiveness of other forms of discipline
5. Information from parents, teachers, or others as appropriate
6. Other extenuating circumstances

As a general rule, discipline will be progressive. This means that a student's first violation will usually merit a lighter consequence than subsequent violations.

If the conduct of a student is related to a disability or suspected disability, the student shall be referred to the Committee on Special Education and discipline, if warranted, shall be administered consistent with the separate requirements of this code of conduct for disciplining students with a disability or presumed to have a disability. A student identified as having a disability shall not be disciplined for behavior related to his/her disability.

### A. Penalties

Students who are found to have violated the district's code of conduct may be subject to the following penalties, either alone or in combination. The school personnel identified after each consequence are authorized to impose that consequence, consistent with the student's rights to due process.

1. Oral warning – any member of the district staff
2. Written warning – bus drivers, hall and lunch monitors, coaches, school counselors, teachers, principal, superintendent
3. Written notification to parent – bus drivers, hall and lunch monitors, coaches, school counselors, teachers, principal, superintendent
4. Lunch detention – any staff supervising an area, dean of students, principal, or superintendent
5. After school detention - teachers, dean of students, principal, superintendent
6. Suspension from transportation – director of transportation, principal, superintendent
7. Suspension from athletic participation – coaches, principal, superintendent, athletic director
8. Suspension from social or extracurricular activities – principal, superintendent
9. Suspension of other privileges - principal, superintendent
10. Suspension or revocation of student's access to district computers and internet connections – dean of students, principal, or superintendent.
11. In-school suspension - principal, superintendent
12. Removal from classroom by teacher – teacher, principal
13. Short term (five days or less suspension from school) - principal, superintendent, board of education
14. Long term (more than five days) suspension from school - principal, superintendent, board of

education

15. Permanent suspension from school – superintendent, board of education

**B. Procedures**

The amount of due process a student is entitled to receive before a consequence is imposed depends on the consequence being imposed. In all cases, regardless of the consequence imposed, the school personnel authorized to impose consequence must inform the student of the alleged misconduct and must investigate to the extent necessary, the facts surrounding the alleged misconduct. All students will have an opportunity to present their version of the facts to the school personnel imposing the disciplinary consequence in connection with imposition of the consequence.

Students who are to be given penalties other than an oral warning, written warning, or written notification to their parents are entitled to additional rights before the consequence is imposed. These additional rights are explained below.

1. Detention

Teachers, the dean of students, principals and the superintendent may use after school detention as a consequence for student misconduct in situations where removal from the classroom or suspension would be inappropriate. Detention will be imposed as a consequence only after the student's parent has been notified to confirm that there is no parental objection to the consequence and the student has appropriate transportation home following detention.

2. Suspension from transportation

If a student does not conduct himself/herself properly on a bus, the bus driver is expected to bring such misconduct to the building principal's attention. Students who become a serious disciplinary problem may have their riding privileges suspended by the building principal or the superintendent or their designees. In such cases, the student's parent will become responsible for seeing that his or her child gets to and from school safely. Should the suspension from transportation amount to a suspension from attendance, the district will make appropriate arrangements to provide for the student's education.

A student subjected to a suspension from transportation is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the building principal or the principal's designee to discuss the conduct and the consequence involved.

3. Suspension from athletic participation, extra-curricular activities, and other privileges

A student subjected to a suspension from athletic participation, extra-curricular activities, or other privileges is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the district official imposing the suspension to discuss the conduct and the consequence involved.

4. In-school suspension

The board recognizes the school must balance the need of students to attend school and the need for order in the classroom to establish an environment conducive to learning. As such, the board authorizes building principals and the superintendent to place students who would otherwise be suspended from school as the result of a code of conduct violation in "in-school suspension." In-school suspension will be monitored by district staff.

A student subjected to an in-school suspension is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the district official imposing the in-

school suspension to discuss the conduct and the consequence involved.

5. Teacher disciplinary removal of disruptive students

A student's behavior can affect a teacher's ability to teach and can make it difficult for other students in the classroom to learn. In most instances the classroom teacher can control a student's behavior and maintain or restore control over the classroom by using good classroom management techniques. These techniques may include practices that involve the teacher directing a student to briefly leave the classroom to give the student an opportunity to regain his or her composure and self-control in an alternative setting. Such practices may include, but are not limited to: (1) short-term "time out" in an elementary classroom or in an administrator's office; (2) sending a student into the hallway briefly; (3) sending a student to the principal's office for the remainder of the class time only; or (4) sending a student to a school counselor or other district staff member for counseling. Time-honored classroom management techniques such as these do not constitute disciplinary removals for purposes of this code.

On occasion, a student's behavior may become disruptive. For purposes of this code of conduct, a disruptive student is a student who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom. A substantial disruption of the educational process or substantial interference with a teacher's authority occurs when a student demonstrates a persistent unwillingness to comply with the teacher's instructions or repeatedly violates the teacher's classroom behavior rules.

A classroom teacher may remove a disruptive student from class for up to two days. The removal from class applies to the class of the removing teacher only.

If the disruptive student does not pose a danger or an ongoing threat of disruption to the academic process, the teacher must provide the student with an explanation for why he or she is being removed and an opportunity to explain his or her version of the relevant events before the student is removed. Only after the informal discussion may a teacher remove a student from class.

If the student poses a danger or ongoing threat of disruption, the teacher may order the student to be removed immediately. The teacher must, however, explain to the student why he or she was removed from the classroom and give the student a chance to present his or her version of the relevant events with 24-hours.

The teacher must complete a district-established disciplinary referral form in SchoolTool and meet with the principal or his or her designee as soon as possible, but no later than the end of the school day, to explain the circumstances of the removal and to present the removal form. If the principal or designee is not available by the end of the same school day, the teacher must leave the form with the secretary and meet with the principal or designee prior to the beginning of classes on the next school day.

Within 24-hours after the student's removal, the principal or another district administrator designated by the principal must notify the student's parents, in writing, that the student has been removed from class and why. The notice must also inform the parent that he or she has the right, upon request, to meet informally with the principal or the principal's designee to discuss the reasons for the removal.

The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the student's removal at the last known address for the parents. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting parents.

The principal may require the teacher who ordered the removal to attend the informal

conference.

If at the informal meeting the student denies the charges, the principal or the principal's designee must explain why the student was removed and give the student and the student's parents a chance to present the student's version of the relevant events. The informal meeting must be held within 48 hours of the student's removal. The timing of the informal meeting may be extended by mutual agreement of the parent and the principal.

The principal or the principal's designee may overturn the removal of the student from class if the principal finds any one of the following:

a. The charges against the student are not supported by substantial evidence.
b. The student's removal is otherwise in violation of law, including the district's code of conduct.
c. The conduct warrants suspension from school pursuant to Education Law §3214 and a suspension will be imposed.

The principal or his designee may overturn a removal at any point between receiving the referral form issued by the teacher and the close of business on the day following the 48-hour period for the informal conference, if a conference is requested. No student removed from the classroom by the classroom teacher will be permitted to return to the classroom until the principal makes a final determination, or the period of removal expires, whichever is less.

Any disruptive student removed from the classroom by the classroom teacher shall be offered continued educational programming and activities until he or she is permitted to return to the classroom.

Disciplinary referral forms in SchoolTool will serve as a log for both the principal and teacher of any removals.

Removal of a student with a disability, under certain circumstances, may constitute a change in the student's placement. Accordingly, no teacher may remove a student with a disability from his or her class until he or she has verified with the principal or the chairperson of the Committee on Special Education that the removal will not violate the student's rights under state or federal law or regulation.

6. Suspension from school

Suspension from school is a severe consequence, which may be imposed only upon students who are insubordinate, disorderly, violent or disruptive, or whose conduct otherwise endangers the safety, morals, health, or welfare of others.

The board retains its authority to suspend students, but places primary responsibility for the suspension of students with the superintendent and the building principals.

Any staff member may recommend to the superintendent or the principal that a student be suspended. All staff members must immediately report and refer a violent student to the principal or the superintendent for a violation of the code of conduct. All recommendations and referrals shall be made in writing unless the conditions underlying the recommendation or referral warrant immediate attention. In such cases a written report is to be prepared as soon as possible by the staff member recommending the suspension.

The superintendent or principal, upon receiving a recommendation or referral for suspension or when processing a case for suspension, shall gather the facts relevant to the matter and record them for subsequent presentation, if necessary.

a. Short-term (5 days or less) suspension from school

When the superintendent or principal (referred to as the "suspending authority") proposes to suspend a student charged with misconduct for five days or less pursuant to

Education Law §3214(3), the suspending authority must immediately notify the student orally. If the student denies the misconduct, the suspending authority must provide an explanation of the basis for the proposed suspension. The suspending authority must also notify the student's parents in writing that the student may be suspended from school. The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the decision to propose suspension at the last known address for the parents. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting the parents.

The notice shall provide a description of the charges against the student and the incident for which suspension is proposed and shall inform the parents of the right to request an immediate informal conference with the principal. Both the notice and informal conference shall be in the dominant language or mode of communication used by the parents. At the conference, the parents shall be permitted to ask questions of complaining witnesses under such procedures as the principal may established.

The notice and opportunity for an informal conference shall take place before the student is suspended unless the student's presence in school poses a continuing danger to the academic process. If the student's presence does pose such a danger or threat of disruption, the notice and opportunity for an informal conference shall take place as soon after the suspension as is reasonably practicable.

After the conference, the principal shall promptly advise the parents in writing of his or her decision. The principal shall advise the parents that if they are not satisfied with the decision and wish to pursue the matter, they must file a written appeal to the superintendent within five business days, unless they can show extraordinary circumstances precluding them from doing so. The superintendent shall issue a written decision regarding the appeal within 10 business days of receiving the appeal. If the parents are not satisfied with the superintendent's decision, they must file a written appeal to the board of education with the district clerk within 10 business days of the date of the superintendents' decision, unless they can show extraordinary circumstances precluding them from doing so. Only final decisions of the Board may be appealed to the Commissioner with 30 days of the decision.

b. Long-term (more than 5 days) suspension from school

When the superintendent or building principal determines that a suspension for more than five days may be warranted, he or she shall give reasonable notice to the student and the student's parents of their right to a fair hearing. At the hearing the student shall have the right to be represented by counsel, the right to question witnesses against him or her and the right to present witnesses and other evidence on his or her behalf.

The superintendent shall personally hear and determine the proceeding or may, in his or her discretion, designate a hearing officer to conduct the hearing. The hearing officer shall be authorized to administer oaths and to issue subpoenas in conjunction with the proceeding before him or her. A record of the hearing shall be maintained, but no stenographic transcript shall be required. A tape recording shall be deemed a satisfactory record. The hearing officer shall make findings of fact and recommendations as to the appropriate measure of discipline to the superintendent. The report of the hearing officer shall be advisory only, and the superintendent may accept all or any part thereof.

An appeal of the decision of the superintendent may be made to the board that will make its decision based solely upon the record before it. All appeals to the board must be in writing and submitted to the district clerk within 10 business days of the date of the superintendent's decision, unless the parents can show that extraordinary circumstances precluded them from doing so. The board may adopt in whole or in part the decision of the

superintendent. Final decisions of the board may be appealed to the Commissioner within 30 days of the decision.

C. Permanent suspension

Permanent suspension is reserved for extraordinary circumstances such as where a student's conduct poses a life-threatening danger to the safety and well-being of other students, school personnel or any other person lawfully on school property or attending a school function.

**C. Minimum Periods of Suspension**

1. Students who bring a weapon to school

   Any student, other than a student with a disability, found guilty of bringing a weapon onto school property will be suspended from school for at least one calendar year. Before being suspended, the student will have an opportunity for a hearing pursuant to Education Law §3214. The superintendent has the authority to modify the one-year suspension on a case-by-case basis. In deciding whether to modify the consequence, the superintendent may consider the following:

   1. The student's age.
   2. The student's grade in school.
   3. The student's prior disciplinary record.
   4. The superintendent's belief that other forms of discipline may be more effective.
   5. Input from parents, teachers and/or others.
   6. Other extenuating circumstances.

   A student with a disability may be suspended only in accordance with the requirements of state and federal law.

2. Students who commit violent acts other than bringing a weapon to school

   Any student, other than a student with a disability, who is found to have committed a violent act, other than bringing a weapon onto school property, shall be subject to suspension from school for at least five days. If the proposed consequence is the minimum five-day suspension, the student and the student's parent will be give the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed consequence exceeds the minimum five-day suspension, the student and the student's parents will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The superintendent had the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the consequence, the superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

3. Students who are repeatedly substantially disruptive of the educational process or repeatedly substantially interfere with the teacher's authority over the classroom

   Any student, other than a student with a disability, who repeatedly is substantiality interferes with the teacher's authority over the classroom will be suspended from school for at least five days. For the purpose of the code of conduct, "repeatedly substantially disruptive" means engaging in conduct that results in the student being removed from the classroom pursuant to Education law 3214(3)(1) and this code on multiple occasions during a semester, or three or more occasions during a trimester. If the proposed consequence is the minimum five-day suspension, the student and the student's parent will be given the same notice and opportunity for an informal conference given to all students subject to a short –term suspension. If the proposed consequence exceeds the minimum five-day suspension, the student and the student's parents will be give the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The superintendent has the authority to modify the minimum five-day suspension on a case-by- case basis. In deciding

whether to modify the consequence, the superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon

**D. Referrals**

1. Administrative staff/designees shall handle all referrals of students to counseling or outside agencies.
2. Person In Need of Supervision (PINS) Petition may be filed on any student under the age of 18 who demonstrates s/he requires supervision by:
    a. Being habitually truant and no attending school as required by their parent's/guardian's rules at home
    b. Engaging in an ongoing or continual course of conduct which makes the student ungovernable, or habitually disobedient and beyond the lawful control of the school
3. Juvenile Delinquents and Juvenile Offenders

    The superintendent is required to refer the following students to the County Attorney for a juvenile delinquency proceeding before family Court:
    a. Any student under the age of 18 who is found to have brought a weapon to school, or
    b. Any student 17 and under who qualifies for juvenile offender status under the Criminal Procedure Law §1.20 (42).

4. The superintendent may refer students age 18 and older or any student 17 and under who qualifies for juvenile offender status to the appropriate law enforcement authorities.

**IX. Alternative Instruction**

When a student of any age is removed from class by a teacher or a student of compulsory attendance age is suspended from school pursuant to Education Law §3214, the district will take immediate steps to provide alternative means of instruction for the student.

**X. Discipline of Students with Disabilities**

The board recognizes that it may be necessary to suspend, remove, or otherwise discipline students with disabilities to address disruptive or problem behavior. The board also recognizes that students with disabilities enjoy certain procedural protections whenever school authorities intend to impose discipline upon them. The board is committed to ensuring that the procedures followed for suspending, removing, or otherwise disciplining students with disabilities are consistent with the procedural safeguards required by applicable laws and regulations.

This code of conduct affords students with disabilities subject to disciplinary action no greater or lesser rights than those expressly afforded by applicable federal and state law and regulations.

**A. Authorized Suspensions or Removals of Students with Disabilities**

1. For purposes of this section of the code of conduct, the following definitions apply.

    A "suspension" means a suspension pursuant to Education Law §3214.

    A "removal" means a removal for disciplinary reasons from the student's current educational placement other than a suspension and change in placement to an interim alternative educational setting (IAES) ordered by an impartial hearing officer because the student poses a risk of harm to himself or herself or others.

    An "IAES" means a temporary educational placement for a period of up to 45 days, other than the student's current placement at the time the behavior precipitating the IAES placement occurred, that enables the student to continue to progress in the general curriculum, although in

another setting, to continue to receive those services and modifications, including those described on the student's current individualized education program (IEP), that will enable the student to meet the goals set out in such IEP and include services and modifications to address the behavior which precipitated the IAES placement that are designed to prevent the behavior from recurring.

2. School personnel may order the suspension or removal of a student with a disability from his or her current educational placement as follows:
    a. The board, the district (BOCES) superintendent of schools or a building principal may order the placement of a student with a disability into an IAES, another setting, or suspension for a period not to exceed five consecutive school days and not to exceed the amount of time a non-disabled student would be subject to suspension for the same behavior.
    b. The superintendent may order the placement of a student with a disability into an IAES, another setting, or suspension for up to 10 consecutive school days, inclusive of any period in which the student has been suspended or removed under subparagraph (a) above for the same behavior, if the superintendent determines that the student has engaged in behavior that warrants a suspension and the suspension or removal does not exceed the amount of time non-disabled students would be subject to suspension for the same behavior.
    c. The superintendent may order additional suspensions of not more than 10 consecutive school days in the same school year for separate incidents of misconduct as long as those removals do not constitute a change of placement.
    d. The superintendent may order the placement of a student with a disability in an IAES to be determined by the committee on special education (CSE), for the same amount of time that a student without a disability would be subject to discipline, but not more than 45 days, if the student carries or possesses a weapon at school or at a school function, or the student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function.

5. "Weapon" means the same as "dangerous weapon" under 18 U.S.C. §930(g) (w) which includes a "weapon, device, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury, except… (for) a pocket knife with a blade of less than 2 ½ inches in length"
    a. "Controlled substance" means a drug or other substance identified in certain provisions of the federal Controlled Substances Act specified in both federal and state law and regulations applicable to this policy.
    3. "Illegal drugs" means a controlled substance except for those legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or any other federal law.
    4. Subject to specified conditions required by both federal and state law and regulations, an impartial hearing officer may order the placement of a student with a disability in an IAES setting for up to 45 days at a time, if maintaining the student in his or her current educational placement poses a risk of harm to the student or others.

**B. Change of Placement Rule**

1. A disciplinary change in placement means a suspension or removal from a student's current educational placement that is either:
    a. for more than 10 consecutive school days; or
    b. for a period of 10 consecutive school days or less if the student is subjected to a series of

suspensions or removals that constitute a pattern because they cumulate to more than 10 school days in a school year and because of such factors as the length of each suspension or removal, the total amount of time the student is removed and the proximity of the suspensions or removals to one another.

2. School personnel may not suspend or remove a student with disabilities if imposition of the suspension or removal would result in a disciplinary change in placement based on a pattern of suspension or removal. However, the district may impose a suspension or removal, which would otherwise result in a disciplinary change in placement, based on a pattern of suspensions or removals if the CSE has determined that the behavior was not a manifestation of the student's disability, or the student is placed in an IAES for behavior involving weapons, illegal drugs, or controlled substances.

**C. Special Rules Regarding the Suspension or Removal of Students with Disabilities**

1. The district's Committee on Special Education shall:

a. Conduct functional behavioral assessments to determine why a student engages in a particular behavior, and develop or review behavioral intervention plans whenever the district is first suspending or removing a student with a disability for more than 10 school days in a school year or imposing a suspension or removal that constitutes a disciplinary change in placement, including a change in placement to an IAES for misconduct involving weapons, illegal drugs, or controlled substances.

If subsequently, a student with a disability who has a behavioral intervention plan and who has been suspended or removed from his or her current educational placement for more than 10 school days in a school year is subjected to a suspension or removal that does not constitute a disciplinary change in placement, the members of the CSE shall review the behavioral intervention plan and its implementation to determine if modifications are necessary.

If one or more members of the CSE believe that modifications are needed, the school district shall convene a meeting of the CSE to modify such plan and its implementation, to the extent the committee determines necessary.

b. Conduct a manifestation determination review of the relationship between the student's disability and the behavior subject to disciplinary action whenever a decision is made to place a student in an IAES either for misconduct involving weapons, illegal drugs, or controlled substances or because maintaining the student in his current educational setting poses a risk of harm to the student or others; or a decision is made to impose a suspension that constitutes a disciplinary change in placement.

2. The parents of a student who is facing disciplinary action, but who has not been determined to be eligible for services under IDEA and Article 89 at the time of misconduct, shall have the right to invoke applicable procedural safeguards set forth in federal and state law and regulations if, in accordance with federal and state statutory and regulatory criteria, the school district is deemed to have had knowledge that their child was a student with a disability before the behavior precipitating disciplinary action occurred.

If the district is deemed to have had such knowledge, the student will be considered a student presumed to have a disability for discipline purposes.

a. The superintendent, building principal, or other school official imposing suspension or removal shall be responsible for determining whether the student is a student presumed to have a disability.
b. A student will not be considered a student presumed to have a disability for discipline

purposes if, upon receipt of information supporting a claim that the district had knowledge the student was a student with a disability, the district either:

1) conducted an individual evaluation and determined that the student is not a student with a disability or
2) determined that an evaluation was not necessary and provide notice to the parents of such determination, in the manner required by applicable law and regulations.

If there is no basis for knowledge that the student is a student with a disability prior to taking disciplinary measures against the student, the student may be subjected to the same disciplinary measures as any other non-disabled student who engaged in comparable behaviors.

However, if a request for an individual evaluation is made while such non-disabled student is subjected to a disciplinary removal, an expedited evaluation shall be conducted and completed in the manner prescribed by applicable federal and state law and regulations. Until the expedited evaluation is completed, the non-disabled student who is not a student presumed to have a disability for discipline purposes shall remain in the educational placement determined by the district, which can include suspension.

3. The district shall provide parents with notice of disciplinary removal no later than the date on which a decision is made to change the placement of a student with a disability to an IAES for either misconduct involving weapons, illegal drugs, or controlled substances or because maintaining the student in his/her current educational setting poses a risk of harm to the student or others; or a decision is made to impose a suspension or removal that constitutes a disciplinary change in placement. The procedural safeguards notice prescribed by the Commissioner shall accompany the notice of disciplinary removal.
4. The parents of a student with disabilities subject to a suspension of five consecutive school days or less shall be provided with the same opportunity for an informal conference available to parents of non-disabled students under the Education Law.
5. Superintendent hearings on disciplinary charges against students with disabilities subject to a suspension of more than five school days shall be bifurcated into a guilt phase and a consequence phase in accordance with the procedures set forth in the Commissioner's regulations incorporated into this code.
6. The removal of a student with disabilities other than a suspension or placement in an IAES shall be conducted in accordance with the due process procedures applicable to such removals of non-disabled students, except that school personnel may not impose such removal for more than 10 consecutive days or for a period that would result in a disciplinary change in placement, unless the CSE has determined that the behavior is not a manifestation of the student's disability.
7. During any period of suspension or removal, including placement in an IAES, students with disabilities shall be provided services as required by the commissioner's regulations incorporated into this code.

**D. Expedited Due Process Hearings**

1. An expedited due process hearing shall be conducted in the manner specified by the Commissioner's regulations incorporated into this code, if:
   a. The district requests such a hearing to obtain an order of an impartial hearing officer placing a student with a disability in an IAES where school personnel maintain that it is dangerous for the student to be in his or her current educational placement, or during the tendency of due process

hearings where school personnel maintain that it is dangerous for the student to be in his or her current educational placement during such proceedings.

b. The parent requests such a hearing from a determination that the student's behavior was not a manifestation of the student's disability, or relating to any decision regarding placement, including, but not limited to any decision to place the student in an IAES.

1. During the pendency of an expedited due process hearing or appeal regarding the placement of a student in an IAES for behavior involving weapons, illegal drugs or controlled substances, or on grounds of dangerousness, or regarding a determination that the behavior is not a manifestation of the student's disability for a student who has been placed in an IAES, the student shall remain in the IAES pending the decision of the impartial hearing officer or until expiration of the IAES placement, whichever occurs first, unless the parents and the district agrees otherwise.
2. If school personnel propose to change the student's placement after expiration of an IAES placement, during the pendency of any proceeding to challenge the proposed change in placement, the student shall remain in the placement prior to removal to the IAES, except where the student is again placed in an IAES.

2. An expedited due process hearing shall be completed within 15 business days of receipt of the request for a hearing. Although the impartial hearing officer may grant specific extensions of such time period, he or she must mail a written decision to the district and the parents within five business days after the last hearing date, and in no event later than 45 calendar days after receipt of the request for a hearing, without exceptions or extensions.

**E. Referral to law enforcement and judicial authorities**

In accordance with the provisions of IDEA and its implementing regulations:

1. The district may report a crime committed by a child with a disability to appropriate authorities, and such action will not constitute a change of the student's placement.

2. The superintendent shall ensure that copies of the special education and disciplinary records of a student with disabilities are transmitted for consideration to the appropriate authorities to whom a crime is reported.

## XI. Corporal Punishment

Corporal punishment is any act of physical force upon a student for the purpose of punishing that student. Corporal punishment of any student by any district employee is strictly forbidden.

However, in situations where alternative procedures and methods that do not involve the use of physical force cannot reasonable be used, reasonable physical force may be used to:

1. Protect oneself, another student, teacher, or any person from physical injury.
2. Protect the property of the school or others.
3. Restrain or remove a student whose behavior interferes with the orderly exercise

and performance of school district functions, powers, and duties, if that student refused to refrain from further disruptive acts.

The district will file all complaints about the use of corporal punishment with the Commissioner of Education in accordance with Commissioner's regulations.

## XII. Student Searches and Interrogations

The board of education is committed to ensuring an atmosphere on school property and at school functions that is safe and orderly. To achieve this kind of environment, any school official authorized to impose a disciplinary consequence on a student may question a student about an alleged violation of law or

the district code of conduct. Students are not entitled to any sort of "Miranda"-type warning before being questioned by school officials, nor are school officials required to contact a student's parent before questioning the student. However, school officials will tell all students why they are being questioned.

In addition, the board authorizes the superintendent, building principals and their designees, the school nurse, and the district security officials to conduct searches of students and their belongings if the authorized school official has reasonable suspicion to believe that the search will result in evidence that the student violated the law or the district code of conduct.

An authorized school official may conduct a search of a student's belongings that is minimally intrusive, such as touching the outside of a book bag, without reasonable suspicion, so long as the school official has a legitimate reason for the very limited search.

An authorized school official may search a student or the student's belongings based upon information received from a reliable informant. Individuals, other than the district employees, will be considered reliable informants if they have previously supplied information that was accurate and verified, or they make an admission against their own interest, or they provide the same information that is received independently from other sources, or they appear to be credible and the information they are communicating relates to an immediate threat to safety. District employees will be considered reliable informants unless they are known to have previously supplied information that they knew was not accurate.

Before searching a student or the student's belongings, the authorized school official should attempt to get the student to admit that he or she possesses physical evidence that they violated the law or the district code, or get the student to voluntarily consent to the search. Searches will be limited to the extent necessary to locate the evidence sought.

Whenever practicable, searches will be conducted in the privacy of administrative offices and students will be present when their possessions are being searched.

**A. Student Locks, Desks, and other School Storage Places**

The rules in this code of conduct regarding searches of students and their belongings do not apply to student lockers, desks, and other school storage places.
Students have no reasonable expectation of privacy with respect to these places and school officials retain complete control over them. This means that student lockers, desks, and other school storage places may be subject to search at any time by school officials, without prior notice to students and without their consent.

**B. Strip Searches**

A strip search is a search that requires a student to remove any or all of his or her clothing, other than an outer coat or jacket. If an authorized school official believes it is necessary to conduct a strip search of a student, the school official may do so only if the search is authorized in advance by the superintendent or the school attorney. The only exception to this rule requiring advanced authorization is when the school official believes there is an emergency situation that could threaten the safety of the student or others.

Strip searches may only be conducted by an authorized school official of the same sex as the student being searched and in the presence of another district professional employee who is also of the same sex as the student.

In every case, the school official conducting a strip search must have probable cause-not simply reasonable cause-to believe the student is concealing evidence of a violation of law or the district code. In addition, before conducting a strip search, the school official must consider the nature of the alleged violation, the student's age, the student's record and the need for such a search.

School officials will attempt to notify the student's parent by telephone before conducting a strip search or in writing after the fact if the parent could not be reached by telephone.

**C. Documentation of Searches**

The authorized school official conducting the search shall be responsible for promptly recording the following information about each search:

1. Name, age and grade of student searched.
2. Reasons for the search
3. Name of any informant(s)
4. Purpose of search (that is, what item(s) were being sought).
5. Type and scope of search
6. Person conducting search and his or her title and position.
7. Witness, if any, to the search.
8. Time and location of search.
9. Results of search (that is, what item(s) were found)
10. Disposition of items found.
11. Time, manner and results of parental notification.

The building principal or the principal's designee shall be responsible for the custody, control and disposition of any illegal or dangerous item taken from a student. The principal or his or her designee shall clearly label each item taken from the student and retain control of the item(s), until the items is turned over to the police. The principal or his or her designee shall be responsible for personally delivering dangerous or illegal items to police authorities.

**D. Police Involvement in Searches and Interrogations of Students**

District officials are committed to cooperating with police officials and other law enforcement authorities to maintain a safe school environment. Police officials, however, have limited authority to interview or search students in schools or at school functions, or to use school facilities in connection with police work. Police officials may enter school property or a school function to question or search a student or to conduct a formal investigation involving students only if they have:

1. A search or an arrest warrant; or
2. Probable cause to believe a crime has been committed on school property or at a school function; or
3. Been invited by school officials.

Before police officials are permitted to question or search any student, the building principal or his or her designee shall first try to notify the student's parent to give the parent the opportunity to be present during the police questioning or search. If the student's parent cannot be contacted prior to the police questioning or search, the questioning or search shall not be conducted. The principal or designee will also be present during any police questioning or search of a student on school property or at a school function.

Students who are questioned by police officials on school property or at a school function will be afforded the same rights they have outside the school. This means:

1. They must be informed of their legal rights.
2. They may remain silent if they so desire.
3. They may request the presence of an attorney.

**E. Child Protective Services Investigations**

Consistent with the district's commitment to keep students safe from harm and the obligation of school officials to report to child protective services when they have reasonable cause to suspect that a student has been abused or maltreated, the district will cooperate with local child protective services workers who wish to conduct interviews of students on school property relating to allegations of suspected child abuse, and/or neglect, or custody investigations.

All requests by child protective services to interview a student on school property shall be made directly to building principal or his or her designee. The principal or his or her designee shall set the time and place of the interview. The principal or designee shall decide if it is necessary and appropriate for a school official to be present during the interview, depending on the age of the student being interviewed

and the nature of the allegations. If the nature of the allegations is such that it may be necessary for the student to remove any of his or her clothing in order for the child protective services worker to verify the allegations, the school nurse or other district medical personnel must be present during that portion of the interview. No student may be required to remove his or her clothing in front of a child protective services worker or school district official of the opposite sex.

A child protective services worker may not remove a student from school property without a court order, unless the worker reasonably believes that the student would be subject to danger of abuse if he or she were not removed from school before a court order can reasonably be obtained. If the worker believes the student would be subject to danger of abuse, the worker may remove the student without a court order and without the parent's consent.

**F. Search of Student Vehicles**

An authorized school official may search a student's unlocked vehicle on school grounds if the school official has reasonable suspicion to believe that the vehicle contains contraband in violation of the law or this Code of Conduct. A trunk is considered unlocked if the passenger compartment is unlocked and the trunk lid can be released from within the passenger compartment. If the vehicle is locked, the school official should ask the student to unlock the vehicle. If the student refuses to unlock the vehicle, the school official may call the student's parent/guardian for permission to open the vehicle, if there is reasonable suspicion that the vehicle contraband, or Call the police if a student and/or a student's parent/guardian refuse to open a locked vehicle to allow a search by school officials. If they remove the vehicle from school grounds to avoid the search, the student's parking privileges may be suspended or revoked.

**G. District Computer Equipment/Websites/Email Used by Any Person**

No person using district faxes, computer equipment, software owned or controlled by the district, or websites, e-mail, or internet access provided by the district has a reasonable expectation of privacy with respect to such equipment, software, websites, e-mail, or internet access provided by the district. No user shall use district equipment to engage in extensive or abusive non-business or non-academic projects or internet searches, since such use tends to slow and/or compromise the system and make it less accessible for district educational and business operations. The district reserves the right to monitor the use of its equipment and software, and to monitor e-mail, websites and internet access, etc…using school district equipment or on school property without prior notice or consent. Any use of such equipment or facilities with violates provisions of this Code of Conduct or the district's Acceptable Use Policy may result in both disciplinary action and denial of prospective use of such equipment and/or internet access.

## XIII. Visitors to the Schools

The board encourages parents and other district citizens to visit the district's schools and classrooms to observe the work of students, teachers, and other staff. Since schools are a place of work and learning, however, certain limits must be set for such visits. The building principal or his or her designee is responsible for all persons in the building and on the grounds. For these reasons, the following rules apply to visitors to the schools:

1. Anyone not a regular staff member or student will be considered a visitor.
2. All visitors must sign the visitor's book at the main office. Anyone visiting any student must first secure permission from the Building Principal. All visitors must be issued and must wear a visitor's identification badge. Visitors must sign out and return the badge upon leaving the premises.
3. Visitors attending school functions that are open to the public are not required to sign in.

4. Parents or citizens who wish to observe a classroom while school is in session are required to arrange such a visit in advance with the classroom teacher(s), so that class disruption is kept to a minimum.
5. Teachers are not expected to take class time to discuss individual matters with visitors.
6. Any unauthorized person on school property will be reported to the principal. Unauthorized persons will be asked to leave. The police will be contacted if necessary.
7. All visitors are expected to abide by the rules for public conduct on school property contained in this code of conduct.

## XIV. Public Conduct on School Property

The district is committed to providing an orderly, respectful environment that is conducive to learning. To create and maintain this kind of an environment, it is necessary to regulate public conduct on school property and at school functions. For purposes of this section of the code, "public" shall mean all persons when on school property or attending a school function including students, teachers, and district personnel.

The restrictions on public conduct on school property and at school functions contained in this code are not intended to limit freedom of speech or peaceful assembly. The district recognizes that free inquiry and free expression are indispensable to the objectives of the district. The purpose of this code is to maintain public order and prevent abuse of the rights of others.

All persons on Canisteo-Greenwood Central School property or attending a school function shall conduct themselves in a respectful and orderly manner. In addition, all persons on school property or attending a school function are expected to be properly attired for the purpose they are on school property.

### A. Prohibited Conduct

No person, either alone or with others, shall:

1. Intentionally injure any person or threaten to do so.
2. Intentionally damage or destroy school district property or the personal property of a teacher, administrator, other district employee, or any person lawfully on school property.
3. Disrupt the orderly conduct of classes, school programs, or other school activities.
4. Distribute or wear materials on school grounds or at school functions that are obscene, advocate illegal action, appear libelous, obstruct the rights of others, or are disruptive to the school program.
5. Intimidate, harass, or discriminate against any person on the basis of race, color, creed, national origin, religion, age, gender, sexual orientation, or disability.
6. Enter any portion of the school premises without authorization to remain in any building or facility after it is normally closed.
7. Obstruct the free movement of any person in any place to which this code applies.
8. Violate the traffic laws, parking, regulations, or other restrictions on vehicles.

9. Possess, consume, sell, distribute or exchange alcoholic beverages, controlled substances, or be under the influence of either or school property or at a school function.
10. Possess or use weapons in or on school property or at a school function, except in the case of law enforcement officers or except as specifically authorized by the school district.
11. Loiter on or about school property
12. Gamble on school property or at school function;
13. Use profane or lewd language.
14. Refuse to comply with any reasonable order of identifiable school district officials performing their duties.
15. Willfully incite other to commit any of the acts prohibited by this code.
16. Violate any federal or state statue, local ordinance, or board policy while on school property or while at a school function.
17. Bring any animal onto the property except as part of the educational process and with approval of an administrator.

**B. Penalties**

Persons who violate this code shall be subject to the following penalties:

1. Visitors. Their authorized, if any, to remain on school grounds or at the school function shall be withdrawn and they shall be directed to leave the premises. If they refuse to leave, they shall be subject to ejection
2. Students. They shall be subject to disciplinary action as the facts may warrant, in accordance with the due process requirements.
3. Tenured faculty members. They shall be subject to disciplinary action as the facts may warrant in accordance with Education Law §3020-a or any other legal rights that they may have.
4. Staff members in the classified service of Civil Service Law §75. They shall be subject to immediate ejection and to disciplinary action as the facts may warrant in accordance with Civil Service Law §75 or any other legal rights that they may have.
5. Staff members other than those described in subdivisions 4 and 5. They shall be subject to warning, reprimand, suspension, or dismissal as the facts may warrant in accordance with any legal rights they may have.

**C. Enforcement**

The building principal or his or her designee shall be responsible for enforcing the conduct required by this code.

When the building principal or his or her designee sees an individual engaged in prohibited conduct, which in his or her judgment does not pose any immediate threat of injury to persons or property, the principal or his or her designee shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop. The principal or his or her designee shall also warn the individual of the consequences for failing to stop. If the person refuses to stop engaging in the prohibited conduct, or if the persons' conduct poses an immediate threat of injury to persons or property, the principal or his or her designee shall have the individual removed immediately from school property or the school function. If necessary, local law enforcement authorities will be contacted to assist in removing the person.

The district shall initiate disciplinary action against any student or staff member, as appropriate, with the "Penalties" section above. In addition, the district reserves its right to pursue a civil or criminal legal action against any person violating the code.

## XV. Dissemination and Review

A. Dissemination of Code of Conduct

The board will work to ensure that the community is aware of this code of conduct by:

1. Providing copies of a summary of the code to all students at a general assembly held at the beginning of each school year.
2. Making copies of the code available to all parents at the beginning of the school year.
3. Mailing a summary of the code of conduct written in plain language to all parents of district students before the beginning of the school year and making this summary available later upon request.
4. Providing all current teachers and other staff members with a copy of the code and a copy of any amendments to the code as soon as practicable after adoption.
5. Providing all new employees with a copy of the current code of conduct when they are first hired.
6. Making copies of the code available for review by students, parents, and other community members.

The board will sponsor an in-service education program for all district staff members to ensure the effective implementation of the code of conduct. The superintendent may solicit the recommendations of the district staff, particularly teachers and administrators, regarding in service programs pertaining to the management and discipline of students.

The board of education will review this code of conduct every year and update it as necessary. In conducting the review, the board will consider how effective the code's provisions have been and whether the code has been applied fairly and consistently.

The board may appoint an advisory committee to assist in reviewing the code and the district's response to code of conduct violations. The committee will be made up of representatives of student, teacher, administrator, parent organizations, school safety personnel, and other school personnel.

Before adopting any revisions to the code, the board will hold at least one public hearing at which school personnel, parents, students, and any other interested party may participate.

The code of conduct and any amendments to it will be filed with the Commissioner no later than 30 days after adoption.

## Appendix A: Being Respectful, Responsible, Positive, and Safe.

Students have access to and occupy many different spaces in our school. In order to make expectations consistent for our students across a variety of settings, including classrooms, shared spaces such as the cafeteria, hallway, and bathrooms, and other settings we have included specific guides that describe what being Respectful, Responsible, Positive and Safe in these areas is like.

In the **Cafeteria** we invite you to be…

**RESPONSIBLE BY…**

- **Remembering the cafeteria is shared space and keeping your volume reasonable.**
- **Listening to the instructions of your cafeteria monitors and lunch staff.**
- **Allowing others to eat without interruption or disturbance.**
- **Sitting in chairs or on the patio and enjoying the field if PE is not in session.**

**RESPONSIBLE BY…**

- **Keeping first things first and eating your food.**
- **Taking the time to pick up after yourself and wiping the table down if needed.**
- **Making sure your tray has been brought back to the tray return.**
- **Wiping the microwave down after you've used it.**

**POSITIVE BY…**

- **Enjoying the company of your friends.**
- **Inviting someone to eat with you.**
- **Saying and doing kind things.**

**SAFE BY…**

- **Walking, keeping your hands and food to yourself, being mindful of who and what's around you.**

In the **Hall** we invite you to be…

**RESPECTFUL BY…**

- **Remembering the hall is shared space, using ear buds or headphones, and keeping your voices reasonable.**
- **Walking on the right side of the hallway.**
- **Allowing others to walk without obstruction and disturbance.**
- **Being conscientious of wall decorations, posters, and bins.**

**RESPONSIBLE BY…**

- **Keeping first things first and getting to where you're going on time.**
- **Using only your locker and keeping your locker locked.**
- **Placing trash and recyclables in the appropriate containers.**

**POSITIVE BY…**

- **Saying hello to teachers, staff, and your peers.**
- **Helping a new student or visitor find where they are going.**
- **Saying and doing kind things.**

**SAFE BY…**

- **Walking, keeping your hands, feet, and belongings to yourself, being mindful of who and what's around you.**
- **Being careful around blind corners and near doors.**
- **Keeping your eyes forward and not glued to your phone.**

In the **Bathrooms** we invite you to be…

**RESPECTFUL BY…**

- **Remembering the bathroom is shared space and using it quickly, appropriately, and neatly.**
- **Allowing others to use the bathroom with privacy and without obstruction and disturbance.**
- **Being conscientious of how you leave it after you use it.**

**RESPONSIBLE BY…**

- **Keeping first things first and using the bathroom for toileting needs only.**
- **Being mindful of the timing and frequency of your visits during class.**
- **Placing trash and recyclables in the appropriate containers.**

**POSITIVE BY…**

- **Immediately reporting any graffiti, vandalism, or disturbances to the main office.**
- **Immediately reporting anyone in the bathroom and in distress to the counseling center.**
- **Saying and doing kind things.**

**SAFE BY…**

- **Walking, keeping your hands, feet, and belongings to yourself, being mindful of who and what's around you.**
- **Washing your hands and practicing good hygiene habits.**
- **Immediately reporting any unsafe behavior or substance use to the main office or your teacher.**

In **Locker Rooms** we invite you to be…

**RESPECTFUL BY…**

- **Remembering the locker room is shared space and using it quickly, appropriately, and neatly.**
- **Allowing others to use the locker room with privacy and without disturbance.**
- **Being conscientious of how you leave it after you use it.**

**RESPONSIBLE BY…**

- **Keeping first things first and using the locker room for changing needs during PE or for sports only.**
- **Placing your belongings in your locker and keeping it locked.**
- **Placing trash and recyclables in the appropriate containers.**

**POSITIVE BY…**

- **Immediately reporting any graffiti, vandalism, or disturbances to the main office or PE teacher.**
- **Immediately reporting anyone in the locker room and in distress to the counseling center or PE teacher.**
- **Saying and doing kind things.**

**SAFE BY…**

- **Walking, keeping your hands, feet, and belongings to yourself, being mindful of who and what's around you.**
- **Washing your hands and practicing good hygiene habits.**
- **Immediately reporting any unsafe behavior or substance use to the main office or your teacher.**

In the **Classroom** we invite you to be…

**RESPECTFUL BY…**

- **Remembering the classroom is shared space, all students have a right to learn, and making choices that assist you and others doing that.**
- **Allowing teachers and staff to ensure you and others learn by listening, participating, following directions.**
- **Turning your cellphone on silent and putting it away or leaving it locked in your locker until directed otherwise by your teacher.**

**RESPONSIBLE BY…**

- **Keeping first things first and giving your best effort to learn and complete tasks in a timely manner.**
- **Bringing everything you need with you and limiting your trips out of the classroom to the bathroom or your locker.**
- **Taking care of district books, laptops, and equipment assigned to you.**

**POSITIVE BY…**

- **Making your best effort, asking questions, and participating in good faith.**
- **Helping others around you, including teachers and staff, to ensure all in the class learn.**
- **Saying and doing kind things.**

**SAFE BY…**

- **Keeping your hands, feet, and belongings to yourself, being mindful of who and what's around you.**
- **Immediately reporting any unsafe behavior or substance use to the main office or your teacher.**

# Appendix B: Discipline Behaviors and Disciplinary Guidelines

**This appendix is to be used as a guide. Use lowest level indicated first.**
**Please note that all consequence levels indicated in the table may move to a higher level if student behavior is persistent and/or increasing in severity.**

The following is a chart of Minor and Major behaviors within SchoolTool (ST). Use this as a general guide when entering into system. Please note the discipline guidelines **are not to be followed without consideration of individual students and circumstances**, but as a suggested framework. **Students with disabilities may be suspended only following requirements of state and federal law .**

| **Level 1 (Minor):** | **Level 2:** | **Level 3:** |
|---|---|---|
| Classroom support and building level team support may be appropriate when student has no or few prior incidents and interventions have not been put into place. Level 1 consequences could include a written or verbal warning, lunch detention, after school detention, parent notification, behavioral interventions and supports via school counseling, administration, and instructional staff, loss of privileges, and parent/school conferences. 1LVL = Minor | Administration – may be appropriate when supports have been put in place in the classroom to address behavior but the behavior has continued to negatively affect the learning of the student and others. Consequences could include any Level 1 as well as short term in school suspension, short term out of school suspension, referrals to outside agencies and law enforcement, and parent/school conferences. 2LVL = Moderate | Administrative support is mandatory. May include all level 2 consequences and suspensions are likely appropriate when interventions and supports have been put in place but the behavior is escalated (repeated incidents, more severe, involving SSEC definitions, incurring substantial disruption, harm, or injury to the school, its processes, or community members). The Principal or their designee shall determine the potential need for a hearing pending a long term suspension. 3LVL = Severe |

The New York State Education Department requires school districts to track and report violent or disruptive incidents annually under the School Safety and Educational Climate (SSEC) reporting system

| **LEVEL 1 (MINOR) INCIDENTS:** Behavior and interventions can be handled by any district staff. | |
|---|---|
| ST Offense Category | Definition and Examples Include but Are Not Limited To; |
| Electronic Device Violation (Minor) | Student engages in non-serious, but inappropriate (as defined by school) use of music/video players, camera, cellphone, district internet and/or computer within classroom or school setting. |
| Insubordination (Minor) | Student engages in brief or low-intensity failure to follow reasonable directions by a supervising staff member or talks back. |
| Harassment (Minor) | Student delivers low-intensity, socially rude or dismissive messages or behaviors to adults or students. |
| Disorderly Conduct (Minor) | Student engages in low-intensity, but inappropriate disorderly conduct which causes a minor or brief disruption, including but not limited to horseplay |
| Dress Code Violation (Minor) | Student wears clothing that is near, but not within, the dress code guidelines defined by the school/district. |
| Tardiness to Class/School (Minor) | Student arrives late to school or class. |
| Academic Dishonesty (Minor) | Student engages in first time cheating such as copying, plagiarism, etc...on a relatively minor assignment, classwork, or quiz. |
| Destruction of Property/Vandalism (Minor) | Student engages in low-intensity misuse of property. |

| **LEVEL 2 and 3 (MODERATE AND SEVERE) INCIDENTS:** Behavior and interventions should be handled by dean of students, principal, or superintendent | |
|---|---|
| ST Offense Category | Definition and Examples Include but Are Not Limited To; |
| Bus Misconduct (Moderate to Severe) | Student engages in disruptive and, as a result, potentially dangerous, actions on the bus that interfere with the peaceful and safe transport of themselves and others. |
| Insubordination (Moderate to Severe) | Student engages in consistent failure to follow reasonable directions by a supervising staff member or talks back consistently when given directions, even after prior intervention and support. |
| Harassment (Moderate to Severe) | Student delivers socially rude or dismissive messages or behaviors to adults or students frequently and after prior intervention or support. |
| Disorderly Conduct<br>(Moderate to Severe) | Student engages in inappropriate disorderly conduct which causes a frequent or consistent and/or moderate to severe disruption to the school environment, including but not limited to horseplay, angry, profane, or inappropriate verbal outbursts, the upsetting of physical features within the building, throwing food or objects, aggressive pushing or shoving such as the precursor to fighting, etc… |
| Dress Code Violation (Moderate to Severe) | Student wears clothing that is not within, the dress code guidelines defined by the school/district even after prior support and intervention. |
| Tardiness to Class/School<br>(Moderate to Severe) | Student arrives late to school or class consistently and at least three or more times. |
| Academic Dishonesty<br>(Moderate to Severe) | Student engages in successive instances of cheating such as copying, plagiarism, etc... y minor assignments, classwork, or quizzes or a single instance on major assessments, projects, or assignments. |
| Destruction of Property/Vandalism (Moderate to Severe) | Student engages in frequent misuse of property resulting in damage or loss. |
| Fighting/Assault (Moderate to Severe) | Student has engaged in violent conduct towards another school community member with the intent to harm or hurt. The extent of repeated behavior, injury, and specific circumstances will dictate between level 2 and 3 and the duration of suspension imposed. |
| Violent Conduct (Moderate to Severe) | Student has engaged in violent conduct towards another member of the school community without necessarily explicit intent to harm. This includes pushing, shoving, reactionary physical responses to violations of personal space, purposeful tripping, etc…Extent to which behavior is repeated and individual circumstances will dictate between a level 2 and 3 and the duration and nature of consequences. |
| Endangering the Safety of Others (Moderate to Severe) | Any action by one individual of the school community that increases the risk of physical injury to another member of the school community, such as pushing, tripping, pulling seats away from, positioning of obstructions, careless throwing of objects, etc… |
| Forgery (Moderate to Severe) | The provision of a fake note, pass, excuse, or other official document by a student. |
| Indecent Exposure (Moderate to Severe) | Any action that exposes private areas (groin, chest, etc…) of a student to others, such as pulling someone's shorts down in gym, pulling someone's shirt over their head, forcing open a stall door while it's being used etc…or exposing one's self in such a manner to others. |
| Leaving Class/School Without Permission (Moderate to Severe) | Repeated, frequent, or consistent leaving of an assigned area without following the proper procedures or without the consent or direction of the supervising adult staff member(s). |
| Lying (Moderate to Severe) | Purposefully being deceitful or withholding all the accurate facts from a district staff member(s) in a way that impedes the orderly functioning, management, or application of school policy, procedure, rules, and practices. |
| Skipped Class/Detention<br>(Moderate to Severe) | Student fails to go to their assigned area or disciplinary setting as directed by district staff, and is not in a valid visit in a school office, receiving pre-planned intervention services by a district staff member, |

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|---|---|
| | or has a valid legal excuse from the parent/guardian provided to the school ahead of time. |
| Stealing (Moderate to Severe) | The possession of, removal of, or taking of one's property by another without explicit consent. The extent to the value of property and repeated instances will dictate between level 2 and level 3 and the duration and nature of consequences. |
| Threat (Moderate to Severe) | Any statement, post, e-mail, writing, note, or action that imparts the explicit or perceived intent to harm others within the school community. The presence or reference(s) to weapons or bombs as well as the extent to which the school, it's members, or location, are specifically referenced will dictate between level 2 and level 3 as well as whether the threat rises to the level of SSEC reporting as defined by the New York State Education Department. |
| Weapons Possession (Non-SSEC) (Moderate) | The student is found to be in possession of an object that could be used or construed as a weapon, but does not meet the standards of minimum lengths of suspension as outline by the NYS Educational Department or rise to the level of meeting SSEC definitions. |
| Tobacco Possession/Use/Sale (Moderate) | Being in the possession of, using of, or transferring from one student to another any tobacco product including but not limited to chewing tobacco, cigarettes, e-cigarettes or other vaping devices, snuff, pouches, etc…ALSO being present in any school area monitored by a HALO Vape Detector when the unit indicates a Vaping, Masking, or Tampering event. |
| Assault (Severe) (SSEC) | Any act committed by a person 10 years of age or older which would constitute a felony under Article 120 of the Penal Law, taking into consideration the developmental capacity of the person to form the intent to commit such act, and where the school has referred the person to the police for the act reported. |
| Sexual Offense (Severe) (SSEC) | Any act committed by a person 10 years of age or older which would constitute a felony under Article 130 of the Penal Law, taking into consideration the developmental capacity of the person to form the intent to commit such act, and where the school has referred the person to the police for the act reported. |
| Threat of School Violence (Other than Bomb Threat or False Alarm) (Severe) (SSEC) | A verbal, telephoned, written or electronic message of a threat of violence on school property or at a school related function. |
| Use, Possession, Sale of Alcohol (Severe) (SSEC) | Illegally using, possessing, or being under the influence of alcohol on school property or at a school function. This includes possessing alcohol on a person, in a locker, a vehicle or other personal space; selling or distributing alcohol on school property or at a school function; and finding alcohol on school property that is not in the possession of any person. |
| Use, Possession, Sale of Drugs (Severe) (SSEC) | Illegally using, possessing, or being under the influence of a controlled substance or marijuana, on school property or at a school function, including having such substance on a person in a locker, vehicle, or other personal space; selling or distributing a controlled substance or marijuana, on school property; finding a controlled substance or marijuana, on school property that is not in the possession of any person; provided that nothing herein shall be construed to apply to the lawful administration of a prescription drug on school property. |
| Weapons Possession (Severe) (SSEC) | An act committed by a person 10 years of age or older which would constitute a felony under Article 265.00 of the Penal Law taking into consideration the developmental capacity of the person to form the intent to commit such act, and where the school has referred the person to the police for the act. |
| Cyber Bullying (Severe) (SSEC) | Harassment or bullying that occurs through any form of electronic communication, (Ed. Law §11[8]) including, but not limited to, cell phones, computers, and tablets, or other communication tools, including social media sites, text messages, chat rooms, and websites. |
| Bomb Threat (Severe) (SSEC) | Bomb threat is a telephoned, written, verbal or electronic message that a bomb, explosive, chemical, or biological weapon has been or will be placed on school property. |

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|---|---|
| Cyberbullying (Severe) (SSEC) | Harassment or bullying that occurs through any form of electronic communication, (Ed. Law §11[8]) including, but not limited to, cell phones, computers, and tablets, or other communication tools, including social media sites, text messages, chat rooms, and websites. |
| False Alarm (Severe) (SSEC) | Causing a fire alarm or other disaster alarm to be activated knowing there is no danger, or through false reporting of a fire or disaster. |
| Discrimination, Harassment and Bullying (excluding Cyberbullying) (Severe) (SSEC) | A single verified incident or a series of related verified incidents where a student is subjected to harassment, bullying, and/or discrimination by a student and/or employee on school property or at a school function. In addition, such term shall include a verified incident or series of related incidents of harassment or bullying that occur off school property, as defined in Commissioner's regulation §100.2(kk)(1)(viii). Such conduct shall include, but is not limited to, threats, intimidation or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex. Commissioner's regulation 100.2(kk)(1)(viii) provides that harassment or bullying means the creation of a hostile environment by conduct or by threats, intimidation or abuse that either: (a) has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional and/or physical well-being, including conduct, threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause emotional harm; or (b) reasonably causes or would reasonably be expected to cause physical injury to a student or to cause a student to fear for his or her physical safety. Such definition shall include acts of harassment or bullying that occur on school property, at a school function, or off school property where such act creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property. For the purposes of this definition the term "threats, intimidation or abuse" shall include verbal and non-verbal actions.<br><br>Bullying is defined as a form of unwanted, aggressive behavior that involves a real or perceived power imbalance and that is repeated, or has the potential to be repeated, over time. Imbalance of power involves the use of physical strength, popularity, or access to embarrassing information to hurt or control another person. |